

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM

Sections 3 and 7

MOTION FOR DEFAULT JUDGMENT

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to enter its order granting default judgment against the following defendants:

Jacob D. Montañó	CHCJ-003-0033A
Lawrence G. Montañó	CHCJ003-0033A CHCJ-003-0033C
Robert M. Montañó	CHCJ003-0033A CHCJ-003-0033D
Ortance Garcia	CHCJ003-0033A CHCJ-003-0033E
Isidoro Manzanares	CHTA-005-0005
Andrews Living Trust	CHRB-004-0048

and as grounds therefore plaintiff states:

1. The defendants named above are in default for failure to appear, answer, or otherwise defend in this cause, as shown by the Clerk's Certificate of Default filed March 3, 2008 (Docket No.

9120).

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order granting default judgment against the above-named defendants incorporating the terms of the State's proposed consent orders and in conformance with the Office of the State Engineer Hydrographic Surveys for Sections 3 and 7 of the Rio Chama Stream, as amended.

Respectfully submitted,

/s/ Ed Newville

EDWARD G. NEWVILLE
Special Assistant Attorney General
Office of State Engineer
P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 867-7444

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 12th day of March, 2008 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM-ECF participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Jacob D. Montañó
434 Reeves
Las Cruces, NM 88005

Lawrence G. Montañó
2609 Naramis NE
Albuquerque, NM 87112

Robert M. Montañó
5009 Montego Pl. NE
Albuquerque, NM 87111

Ortance Garcia
308 Glorieta NE
Albuquerque, NM 87123

Isidoro Manzanares
P.O. Box 642
Tierra Amarilla, NM 87575
(last known address)

Andrews Living Trust
c/o J. Lance Andrews
P.O. Box 97
Tierra Amarilla, NM 87575

/s/ Ed Newville
EDWARD G. NEWVILLE